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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**Re: Notice of Ex Parte Communications Regarding the Proposal
submitted by the Telecommunications Resellers Association on
November 24, 1998 in Telephone Number Portability,
CC Docket No. 95-116**

Dear Ms. Salas:

This ex parte is being filed in response to a proposal by Telecommunications Resellers Association (TRA) requesting Commission consideration of its proposal for implementing wireless number portability (WNP). This proposal has been submitted a number of times, but most recently in a November 24, 1998 ex parte letter. TRA's proposal has been commented on by wireless operators that have noted its deficiencies¹ and its latest filing fails to cure any of these defects. Accordingly, there is no reason for the Commission to delay action in this proceeding in order to seek additional comments on the TRA proposal.

TRA mischaracterizes its proposal as allowing rapid implementation of WNP in a way that has minimal impact on carriers, does not effect the operation of carriers outside of the top 100 MSAs, and is comparable to wireline requirements. In fact the TRA proposal would likely take longer to implement than the solution agreed to by the wireless industry, would result in longer call set up times and decreased reliability for ported numbers, and would result in inefficient call routing that would impact carrier resources.

Need for Wireless Number Portability

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¹ See GTE Ex Parte presentation, November 13, 1998, reply comments of AT&T Corp., Aug. 31, 1998, and reply comments of the Cellular Telecommunications Industry Association.

TRA refers to previous Commission decisions concluding that WNP will result in a plethora of benefits for consumers and is necessary for competition, both between wireless carriers and between wireless and wireline carriers.² On December 16, 1997, CTIA filed a petition requesting that the Commission forbear from enforcing implementation for WNP. A considerable record has been developed supporting the forbearance petition based the competitive developments in the wireless industry and the high costs of deploying LNP in the near-term in excess of consumer benefits. The TRA proposal does not shift the weight of this evidence.

The LRN-Relay method fails to meet FCC performance criteria

TRA claims that its proposed location routing number relay (LRN-Relay) method of implementing WNP is already being used for the wireline industry and the wireless industry to deliver ported numbers to wireline customers. While this may be the case for call routing it is not true for caller registration. In fact, the Commission specifically rejected the similar "Query on Release" method in its *First Report and Order* in this proceeding because it failed the Commission's performance criteria. In that decision the Commission compared the merits of implementing LNP using the LRN method and using the QOR method. With respect to registration, the LRN-Relay method proposed by TRA is very similar to the QOR mechanism that was rejected by the Commission because it treats ported numbers differently from non-porting numbers and requires carriers to rely on the networks of their competitors in order to route calls.³

The LRN-Relay solution also fails the Commission's performance criteria numbers 5 and 6,⁴ which requires that any solution not affect the service or reliability of a network when implemented or when a customer switches carriers. The LRN-Relay method would introduce an extra step in registering users of ported numbers, not applicable to non-porting numbers, by routing all registrations through the donor network before being

² TRA ex parte at ii.

³ Telephone Number Portability, *First Report and Order and Further Notice of Proposed Rule Making*, CC Docket No. 95-116, July 2, 1996, FCC 96-286, paragraph 53. The specific performance criteria prohibiting reliance on service provided by other telecommunications carriers to route calls was removed in the *First Memorandum Opinion and Order on Reconsideration* at paragraph 4 because the Commission recognized that all interconnected carriers are likely to rely upon each other's networks to some extent. However, the Commission upheld its decision that QOR was not in the public interest. Telephone Number Portability, *First Memorandum Opinion and Order on Reconsideration*, CC Docket 95-116, RM-8535, FCC 97-74, March 11, 1997 (*First Order on Reconsideration*) at paragraphs 30-47. TRA's proposal would create an unnecessary and unreasonable reliance on the donor network.

⁴ *First Report and Order* at paragraph 48.

routed to the home network. In adding extra steps to call registration and verification, the result is an increase in time to register and a decrease in the reliability.⁵

Time to implement LRN-Relay

TRA represents its solution as being able to be implemented very quickly and urges the Commission to not revise its March 31, 2000 implementation date. In fact, it would be very unlikely that TRA's proposal could be implemented by March 31, 2000. Despite invitations to do so, TRA has not brought its proposal for review by the wireless industry. Accordingly, in order to implement TRA's proposal, it would be necessary to develop standards to identify all of the network changes necessary and how these changes will be implemented. Even on an expedited basis, it is unreasonable to expect that the standards could be established in less than one year. Once standards are in place, software for the STP must be written, tested and deployed, which can reasonably be expected to take 12 to 18 months. Additionally, changes to the local number portability database and at the NPAC would be required, and new signaling ports must be added. Given the extent of these changes and the fact that the industry would just be starting this process, there is little possibility that TRA's solution could be implemented by March 31, 2000. TRA's proposal raises similar issues to those raised in the *First Order on Reconsideration* in which the Commission concluded that implementation of QOR would not speed implementation of LNP because much of the development work done for implementation of LRN would have to be redone for QOR.⁶

The wireless industry has invested extensive efforts and resources in its solution to separate the MSID and MDN in preparation for number portability compatibility. As described in the CTIA Report on Wireless Number Portability, Version 2, July 7, 1998, the wireless industry began studying WNP implementation in August 1996 when CTIA began a series of industry forums.⁷ As a result of these forums CTIA released standards documents to both TIA (TR46 and TR45.2) and Committee T1 (T1S1.6 and T1P1.5). The standards necessary for implementation of the wireless industry's chosen solution are currently in the balloting stage and are expected to be final either first or second quarter 1999. It is important for the Commission to recognize that the wireless industry is working to be able to meet the Commission's March 31, 2000 deadline and expects to be able to meet the deadline if the Commission so requires. The wireless industry's objections to the March 31, 2000, deadline are based on the lack of public benefits in proportion to the costs. The public is already realizing the benefits of a highly competitive wireless industry without WNP.

⁵ See also *First Order on Reconsideration* at paragraphs 30 with respect to QOR.

⁶ *First Order on Reconsideration* at paragraph 46.

⁷ CTIA Report on Wireless Number Portability at section 1.4.2.

Effect on Carriers

A critical difference in the LRN-Relay method compared to the LRN database query performed for LNP is the ongoing impact on the donor network. Database dips for LNP tell a network where to send a phone call and are only done when a phone call is made. The LRN-Relay method is a way to register roaming mobile users to allow calls to and from roamers. A wireless network updates its roamer registration information every 10 minutes. Therefore, whenever a roaming phone is left on, the serving network will be querying the home network every 10 minutes to ensure that it has up to date information on the roamer. In the case of a ported number, this means that the original donor network would have to process this registration request every 10 minutes so that it can repeatedly pass routing information on to the home network. Such needless repetition will significantly impact the memory and capacity of the donor network. Additionally, current inquiries only use six digits, whereas TRA's solution would require a 10-digit inquiry, greatly impacting the memory and capacity requirements for wireless systems.

TRA represents its solution as only requiring STP changes to Carriers in the top 100 MSAs and as having no effect on carriers outside of these top 100 MSAs. This is not the case. The Commission's *First Order on Reconsideration* requires that carriers outside of the top 100 MSAs are required to provide number portability within six months of receiving a request after June 30, 1999.⁸ Accordingly, all wireless carriers would be required to upgrade their facilities to implement TRA's solution should they be requested to do so.

Conclusion

TRA's proposal would not result in the most efficient method of implementing WNP. Further evaluation at this point would divert considerable resources from the wireless industry's efforts to implement its chosen solution while offering no benefits. Similar methods have already been considered and rejected by the Commission and the Commission should not further consider TRA's flawed proposal. It would be inappropriate for the Commission to lend uncertainty to years of work by the wireless industry in order to further study a flawed proposal that is based on an incomplete understanding of wireless network operations.

Sincerely,



Pamela J. Riley

⁸ Ibid., paragraph 137

Vice President Federal Regulatory

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